

### **REMARKS/ARGUMENTS**

Claims 1, 2, 4, 6 and 27 have been amended without prejudice or disclaimer. No new matter has been added. Claims 10-26 are withdrawn. Claims 1-9 and 27-28 remain in the application. Applicants respectfully request reconsideration of this application

#### **Claim Rejections:**

***Claims 1-9 and 27-28 were rejected under 35U.S.C. 103(a) as being unpatentable over Hutchison, IV et al. (6,725,061) in view of Bowen (WO 03/007149).***

Applicants have amended independent claims 1, 2, 4, 6 and 27 to clarify the invention. The independent claims now recite that the accessory has no microcontroller or that processing events take place without the use of any microcontroller within the accessory. No new matter has been added. Support for this amendment is found in FIG. 1 and page 2, lines 4-6.

The Bowen reference relates to downloading of a "device driver". Bowen recites on page 2, lines 1-5 "download is to be understood as meaning taking information off, or receiving information from, another device", the term "download" is specifically used in reference to a "device driver" which is understood by those skilled in the art to mean executable computer instructions or code to allow operation of specific hardware, namely an attached accessory. Bowen states "These software drivers generally take the form of software code that is stored in the particular device..." (page 5, lines 6-10). Also, Bowen recites "the present invention provides a mechanism for each accessory to store its own software driver code..." (page 8, lines 1-5). Thus, Bowen makes it clear that the device driver is truly executable code: "The software driver code can then be executed from the subscriber unit 100 to allow the subscriber unit 100 and accessory to function together in their intended manner." (page 12, lines 11-15).

Below Applicants' Summarize the Bowen embodiments:

Accessory stores own driver code (page 8, lines 1-5).

SU requests, receives and stores accessory's driver code. (page 12, lines 1-5)

Software driver code is run directly from the accessory (page 14, lines 25-30)

Bowen's accessory 220 also comprises circuitry (not shown) and at least one processor that can be used by the subscriber unit 100 to access the non-volatile memory of the accessory 222, and thus the software driver code.

Applicant's invention does not store device driver code for the radio in the accessory.

Applicant's invention does not run device driver code from the accessory for the radio.

Applicant's invention utilizes a radio-resident microcontroller (106) that accesses accessory device descriptors stored in the accessory (102) to configure the accessory and its interface for proper operation. The device descriptors of Applicants' invention are not executable code, but information to configure the radio microcontroller. No radio device driver or executable code is stored in Applicants' accessory.

Bowen requires a processor in the accessory. While Applicants' invention is fully operable without a processor in the accessory. Applicants' invention is thus capable of operating simple, low-complexity, and low cost accessories in addition to more complex accessories.

None of the cited references taken individually or combined, teach or suggest that which is claimed by Applicants' invention. Accordingly, the independent claims, as amended, are in condition for allowance. Claims 3, 5, 7-9 and 28 are dependent claims providing further limitations to what are believed to be allowable independent claims and hence are also in condition for allowance.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge Deposit Account 502117, Motorola, Inc, with any fees which may be required in the prosecution of this application.

Respectfully submitted,

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